

FISCAL YEAR 2014

MARK UP

PUBLIC DEFENDER

HOUSE BILL 12

**97th General Assembly
First Regular Session**

Prepared by Senate Appropriations Committee Staff

Public Defender Commission - Director's Office/Legal Services - Section 12.400

Page 15

The Director's Office is responsible for centralized administration and coordination of resources, planning functions, fiscal processing, personnel functions, data processing support, conflict case transfers, collection of lien and recoupment monies and other support functions.

Legal Base: Chapter 600 RSMo
Funding Source: General Revenue
FY 2013 Withhold: None

CORE ADJUSTMENTS:

DEPARTMENT:

No Changes

Requested 100% Flexibility between General Revenue Personal Services and Expense & Equipment

GOVERNOR:

No Changes

Recommended 100% Flexibility between General Revenue Personal Services and Expense & Equipment

HOUSE:

No Changes

Recommended 100% Flexibility between General Revenue Personal Services and Expense & Equipment

SENATE:

CONFERENCE:

	FY 2012 BUDGET		FY 2012 ACTUAL		FY 2013 BUDGET		FY 2014 DEPT REQ		GOV AS AMENDED REC		HOUSE RECOMMENDED		
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	
HOUSE BILL SECTION 12.400													
OFFICE OF THE DIRECTOR - 15111C													
CORE													
PERSONAL SERVICES	27,729,933	585.13	27,288,817	577.73	28,181,366	585.13	28,181,366	585.13	28,181,366	585.13	28,181,366	585.13	
GENERAL REVENUE	27,729,933	585.13	27,288,817	577.73	28,181,366	585.13	28,181,366	585.13	28,181,366	585.13	28,181,366	585.13	
EXPENSE & EQUIPMENT	4,419,108	0.00	4,860,220	0.00	4,419,108	0.00	4,419,108	0.00	4,419,108	0.00	4,419,108	0.00	
GENERAL REVENUE	4,419,108	0.00	4,860,220	0.00	4,419,108	0.00	4,419,108	0.00	4,419,108	0.00	4,419,108	0.00	
TOTAL	\$32,149,041	585.13	\$32,149,037	577.73	\$32,600,474	585.13	\$32,600,474	585.13	\$32,600,474	585.13	\$32,600,474	585.13	

Pay Plan FY13-Cost to Continue - 0000013

PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	19,626	0.00	19,626	0.00	19,626	0.00	
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	19,626	0.00	19,626	0.00	19,626	0.00	
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$19,626	0.00	\$19,626	0.00	\$19,626	0.00	

Cost to continue the FY 2013 pay plan.

Pay Plan FY14-COLA - 0000014

PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	0	0.00	258,510	0.00	146,283	0.00	
-------------------	---	------	---	------	---	------	---	------	---------	------	---------	------	--

	FY 2012 BUDGET		FY 2012 ACTUAL		FY 2013 BUDGET		FY 2014 DEPT REQ		GOV AS AMENDED REC		HOUSE RECOMMENDED		
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	
HOUSE BILL SECTION 12.400													
OFFICE OF THE DIRECTOR - 15111C													
Pay Plan FY14-COLA - 0000014													
PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	0	0.00	258,510	0.00	146,283	0.00	
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	0	0.00	258,510	0.00	146,283	0.00	
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$258,510	0.00	\$146,283	0.00	
General Structure Adjustment for all state employees. Governor recommends 2% for the second half of FY2014. House recommends \$250 per FTE for the second half of FY14.													

Caseload Crisis - - 1151001													
PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	2,785,992	71.00	0	0.00	0	0.00	
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	2,785,992	71.00	0	0.00	0	0.00	
EXPENSE & EQUIPMENT	0	0.00	0	0.00	0	0.00	4,079,513	0.00	0	0.00	0	0.00	
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	4,079,513	0.00	0	0.00	0	0.00	
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$6,865,505	71.00	\$0	0.00	\$0	0.00	

	FY 2012		FY 2012		FY 2013		FY 2014		GOV AS		HOUSE		
	BUDGET		ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	
HOUSE BILL SECTION 12.400													
OFFICE OF THE DIRECTOR - 15111C													
Information Tech - Keeping Up - 1151002													
EXPENSE & EQUIPMENT	0	0.00	0	0.00	0	0.00	254,820	0.00	0	0.00	0	0.00	
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	254,820	0.00	0	0.00	0	0.00	
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$254,820	0.00	\$0	0.00	\$0	0.00	

Specialized Attorneys - 1151003													
PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	838,656	12.00	0	0.00	0	0.00	
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	838,656	12.00	0	0.00	0	0.00	
EXPENSE & EQUIPMENT	0	0.00	0	0.00	0	0.00	151,260	0.00	0	0.00	0	0.00	
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	151,260	0.00	0	0.00	0	0.00	
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$989,916	12.00	\$0	0.00	\$0	0.00	

	FY 2012		FY 2012		FY 2013		FY 2014		GOV AS		HOUSE		
	BUDGET		ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	
HOUSE BILL SECTION 12.400													
OFFICE OF THE DIRECTOR - 15111C													
Office Space Requirements - 1151004													
EXPENSE & EQUIPMENT	0	0.00	0	0.00	0	0.00	1,983,019	0.00	0	0.00	0	0.00	
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	1,983,019	0.00	0	0.00	0	0.00	
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$1,983,019	0.00	\$0	0.00	\$0	0.00	

TOTAL - OFFICE OF THE DIRECTOR	\$32,149,041	585.13	\$32,149,037	577.73	\$32,600,474	585.13	\$42,713,360	668.13	\$32,878,610	585.13	\$32,766,383	585.13	
--------------------------------	--------------	--------	--------------	--------	--------------	--------	--------------	--------	--------------	--------	--------------	--------	--

Public Defender Commission – Grants - Section 12.400

Page 65

This section provides appropriation authority if grants are received from the federal government.

Legal Base: Chapter 600 RSMo
Funding Source: Federal Funds
FY 2013 Withhold: None

CORE ADJUSTMENTS:

DEPARTMENT:

No Changes

GOVERNOR:

No Changes

HOUSE:

No Changes

SENATE:

CONFERENCE:

Committee Markup Annual			FY2014 HB12 OFFICE OF THE PUBLIC DEFENDER								Regular House Bills	
FY 2012 BUDGET			FY 2012 ACTUAL		FY 2013 BUDGET		FY 2014 DEPT REQ		GOV AS AMENDED REC		HOUSE RECOMMENDED	
DOLLAR	FTE		DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400												
GRANTS - 15131C												
CORE												
PROGRAM-SPECIFIC	125,000	0.00	0	0.00	125,000	0.00	125,000	0.00	125,000	0.00	125,000	0.00
FEDERAL FUNDS	125,000	0.00	0	0.00	125,000	0.00	125,000	0.00	125,000	0.00	125,000	0.00
TOTAL	\$125,000	0.00	\$0	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00
TOTAL - GRANTS	\$125,000	0.00	\$0	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00

Public Defender Commission – Legal Defense and Defender Fund - Section 12.400

Page 71

This section reflects personal services and expense and equipment requested and recommended from the Legal Defense Fund (funds collected from the indigent).

Legal Base: Chapter 600 RSMo

Funding Source: Legal Defense and Defender Fund

FY 2013 Withhold: None

CORE ADJUSTMENTS:

DEPARTMENT:

No Changes

GOVERNOR:

No Changes

HOUSE:

No Changes

SENATE:

CONFERENCE:

	FY 2012 BUDGET		FY 2012 ACTUAL		FY 2013 BUDGET		FY 2014 DEPT REQ		GOV AS AMENDED REC		HOUSE RECOMMENDED		
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	
HOUSE BILL SECTION 12.400													
LEGAL DEFENSE & DEFENDER FUND - 15141C													
CORE													
PERSONAL SERVICES	129,507	2.00	129,493	2.03	130,196	2.00	130,196	2.00	130,196	2.00	130,196	2.00	
OTHER FUNDS	129,507	2.00	129,493	2.03	130,196	2.00	130,196	2.00	130,196	2.00	130,196	2.00	
EXPENSE & EQUIPMENT	2,795,756	0.00	957,623	0.00	2,795,756	0.00	2,795,756	0.00	2,795,756	0.00	2,795,756	0.00	
OTHER FUNDS	2,795,756	0.00	957,623	0.00	2,795,756	0.00	2,795,756	0.00	2,795,756	0.00	2,795,756	0.00	
PROGRAM-SPECIFIC	55,000	0.00	52,756	0.00	55,000	0.00	55,000	0.00	55,000	0.00	55,000	0.00	
OTHER FUNDS	55,000	0.00	52,756	0.00	55,000	0.00	55,000	0.00	55,000	0.00	55,000	0.00	
TOTAL	2,980,263	2.00	1,139,872	2.03	2,980,952	2.00	2,980,952	2.00	2,980,952	2.00	2,980,952	2.00	

Pay Plan FY13-Cost to Continue - 0000013

PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	30	0.00	30	0.00	30	0.00	
OTHER FUNDS	0	0.00	0	0.00	0	0.00	30	0.00	30	0.00	30	0.00	
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$30	0.00	\$30	0.00	\$30	0.00	

Cost to continue the FY 2013 pay plan.

Pay Plan FY14-COLA - 0000014

PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	0	0.00	1,194	0.00	500	0.00	
-------------------	---	------	---	------	---	------	---	------	-------	------	-----	------	--

	FY 2012		FY 2012		FY 2013		FY 2014		GOV AS		HOUSE	
	BUDGET		ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400												
LEGAL DEFENSE & DEFENDER FUND - 15141C												
Pay Plan FY14-COLA - 0000014												
PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	0	0.00	1,194	0.00	500	0.00
OTHER FUNDS	0	0.00	0	0.00	0	0.00	0	0.00	1,194	0.00	500	0.00
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$1,194	0.00	\$500	0.00

General Structure Adjustment for all state employees. Governor recommends 2% for the second half of FY2014. House recommends \$250 per FTE for the second half of FY14.

TOTAL - LEGAL DEFENSE & DEFENDER FUN	\$2,980,263	2.00	\$1,139,872	2.03	\$2,980,952	2.00	\$2,980,982	2.00	\$2,982,176	2.00	\$2,981,482	2.00	
--------------------------------------	-------------	------	-------------	------	-------------	------	-------------	------	-------------	------	-------------	------	--

Public Defender Commission – Extraordinary Expenses and Conflict Cases - Section 12.400

Page 83

This section provides monies to meet the costs associated with conflict case reassignments and extraordinary expenses related to providing representation in criminal cases. The appropriation is used to provide for the defense of criminal cases and expenses such as expert witnesses, depositions and other expenses arising from changes of venue.

There are more than 300 homicide cases assigned to the system each year and more than 750 conflict of interest cases which must be reassigned each to the private bar.

Legal Base: Chapter 600 RSMo

Funding Source: General Revenue

FY 2013 Withhold: (\$721,071) General Revenue

CORE ADJUSTMENTS:

DEPARTMENT:

No Changes

GOVERNOR:

No Changes

HOUSE:

No Changes

SENATE:

CONFERENCE:

	FY 2012 BUDGET		FY 2012 ACTUAL		FY 2013 BUDGET		FY 2014 DEPT REQ		GOV AS AMENDED REC		HOUSE RECOMMENDED		
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	
HOUSE BILL SECTION 12.400													
EXTRAORDINARY EXPENSE/CONFLIC - 15151C													
CORE													
EXPENSE & EQUIPMENT	2,558,059	0.00	2,558,059	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	
GENERAL REVENUE	2,558,059	0.00	2,558,059	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	
TOTAL	\$2,558,059	0.00	\$2,558,059	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	

Public Defender Commission – Debt Offset Escrow - Section 12.400

Page 87

This section authorizes State Public Defender to intercept Missouri State Income Tax refund checks due to individuals who owe the Missouri State Public Defender System monies for representation.

Legal Base: Chapter 600 RSMo

Funding Source: Escrow Account between the Taxpayer and the Dept of Revenue for Missouri State Public Defender Income Tax Interceptions

FY 2013 Withhold: None

CORE ADJUSTMENTS:

DEPARTMENT:

No Changes

Requested an “E” on this appropriation

GOVERNOR:

No Changes

Recommended an “E” on this appropriation

HOUSE:

No Changes

SENATE:

CONFERENCE:

	FY 2012 BUDGET		FY 2012 ACTUAL		FY 2013 BUDGET		FY 2014 DEPT REQ		GOV AS AMENDED REC		HOUSE RECOMMENDED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400												
DEBT OFFSET ESCROW FUND - 15161C												
CORE												
PROGRAM-SPECIFIC	350,000	0.00	945,888	0.00	350,000	0.00	350,000	0.00	350,000	0.00	350,000	0.00
OTHER FUNDS	350,000	0.00	945,888	0.00	350,000 E	0.00	350,000 E	0.00	350,000 E	0.00	350,000 E	0.00
TOTAL	\$350,000	0.00	\$945,888	0.00	\$350,000	0.00	\$350,000	0.00	\$350,000	0.00	\$350,000	0.00
TOTAL - DEBT OFFSET ESCROW FUND	\$350,000	0.00	\$945,888	0.00	\$350,000	0.00	\$350,000	0.00	\$350,000	0.00	\$350,000	0.00